

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHANTAY HEAVEN
individually and on behalf of all
others similarly situated
Plaintiff

v.

PRIME HYDRATION LLC
Defendant

CIVIL ACTION

NO. 24-4754

ORDER

AND NOW, this 7th day of January 2025, upon consideration of Defendant Prime Hydration LLC's ("Defendant") *motion to dismiss*, (ECF 5), Plaintiff Shantay Heaven's ("Plaintiff") response in opposition to the motion to dismiss, (ECF 7), Defendant's reply thereto, (ECF 12), and Defendant's memorandum of supplemental authority, (ECF 16), as well as Plaintiff's *motion to remand and for fees and costs*, (ECF 6), Defendant's response in opposition thereto, (ECF 8), and Plaintiff's reply, (ECF 15), it is hereby **ORDERED that**, for the reasons set forth in the accompanying Memorandum Opinion:

- (1) Plaintiff's motion to remand and for fees and costs is **GRANTED**, insofar as it seeks to remand this action to the Court of Common Pleas of Philadelphia County, the court from which it came; and **DENIED** insofar as it seeks fees and costs;
- (2) Accordingly, this matter is **REMANDED** to the Court of Common Pleas of Philadelphia County; and
- (3) Defendant's motion to dismiss is **DENIED** as moot.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court